

Remarks

The Office Action mailed April 6, 2004 has been received and reviewed. Claims 17 and 30 having previously been canceled, claims 11-15 and 21-22 having been canceled herein, claims 1, 8, 16, 19, 25-27, 29, and 33-35 having been amended, and claims 39-41 having been added, the pending claims are claims 1-10, 16, 18-20, 23-29, and 31-41. Claims 33-35 having been withdrawn from consideration, the claims currently under consideration are claims 1-10, 16, 18-20, 23-29, 31-32, and 36-41.

Claims 1, 8, 19, 27, 29, 33-35 have been amended to depend from claim 23. Claim 16 has been amended to depend from claim 8. Claims 25 and 26 have been amended to recite language of allowed polypeptide claims 20 and 38, respectively.

New claims 39-41 are supported by the specification at, for example, page 7, lines 26-27 and page 22, line 1 to page 23, line 20.

Reconsideration and withdrawal of the rejections are respectfully requested.

Examiner Interview

Applicants thank the Examiner for agreeing to a telephonic interview with Applicants' Representative, Loren D. Albin, on June 30, 2004. The currently pending claims were discussed, and upon reconsideration, the Examiner indicated that claim 23 is also allowable.

Rejection under 35 U.S.C. §112, First Paragraph

The Examiner rejected claims 1-16, 19-23, 25-29, and 31-32 under 35 U.S.C. §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The Examiner also rejected claims 1-16, 19, 21-23, 25-29, and 31-32 under 35 U.S.C. §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Applicants note that although claim 20 is listed in one of the rejections, it is also

listed as being allowed. For the purposes of this response, claim 20 is being treated as being allowed. In the event that claim 20 is not allowed, clarification of the status of claim 20 is respectfully requested in the next Official Communication.

Upon reconsideration, the Examiner has indicated that claim 23 is allowable. Claims 11-15 and 21-22 having been canceled, and claims 1-10, 16, 19, 27-29, and 31 (as amended) now depending from claim 23, Applicants respectfully submit that the rejection of claims 1-16, 19, 21-23, 27-29, and 31 under 35 U.S.C. §112, first paragraph, has been rendered moot.

Claims 25-26 and 32 (as amended) recite language from and are similar in scope to allowed polypeptide claims 20 and 38. Thus, Applicants respectfully submit that the specification also provides adequate written description and enablement for claims 25-26 and 32 (as amended).

In view of the amendments and remarks presented herein, Applicants respectfully request that the Examiner reconsider and withdraw the rejections under 35 U.S.C. §112, first paragraph.

Allowable Subject Matter

Applicants thank the Examiner for indicating that claims 18, 20, 23, 24, and 36-38 are allowable.

New Claims

New claims 39-41 depend from claim 23. Thus, Applicants respectfully submit that new claims 39-41 are also patentable. Entry and consideration of new claims 39-41 are respectfully requested.

Request for Rejoinder

Claims 33-35 have been withdrawn from consideration by the Examiner as being drawn to a non-elected group. Claims 33-35 (as amended) depend from allowable claim 23. Pursuant to M.P.E.P. §821.04, Applicants respectfully request that the Examiner rejoin and consider claims 33-35.

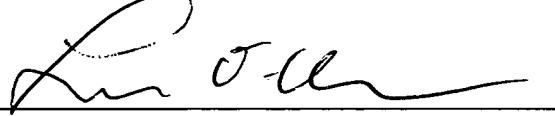
Summary

It is respectfully submitted that all the pending claims are in condition for allowance and notification to that effect is respectfully requested. The Examiner is invited to contact Applicants' Representatives, at the below-listed telephone number, if it is believed that prosecution of this application may be assisted thereby.

Respectfully submitted for
TRAVIS et al.

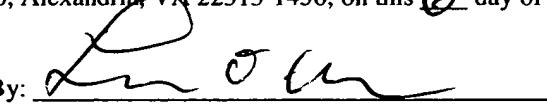
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July 6, 2004
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CERTIFICATE UNDER 37 CFR §1.8:

The undersigned hereby certifies that the Transmittal Letter and the paper(s), as described hereinabove, are being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 6 day of July, 2004, at 5:18 pm (Central Time).

By: 
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